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Security Council

Sixtieth year

Provisional

5211th meeting

Wednesday, 22 June 2005, 10.15 a.m.

New York

President:	Mr. De La Sablière	(France)
Members:	Algeria	Mr. Baali
	Argentina	Mr. Mayoral
	Benin	Mr. Zinsou
	Brazil	Mr. Valle
	China	Mr. Li Junhua
	Denmark	Mr. Faaborg-Andersen
	Greece	Mr. Vassilakis
	Japan	Mr. Kitaoka
	Philippines	Mr. Mercado
	Romania	Mr. Motoc
	Russian Federation	Mr. Konuzin
	United Kingdom of Great Britain and Northern Ireland	Sir Emyr Jones Parry
	United Republic of Tanzania	Mrs. Taj
	United States of America	Mrs. Patterson

Agenda

The situation in Cyprus

Report of the Secretary-General on the United Nations operation in Cyprus (S/2005/353)

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05-39435 (E)

The meeting was called to order at 10.15 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in Cyprus

Report of the Secretary-General on the United Nations operation in Cyprus (S/2005/353)

The President (*spoke in French*): In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Kieran Prendergast, Under-Secretary-General for Political Affairs.

It is so decided.

The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

At this meeting, the Security Council will hear a briefing by Mr. Kieran Prendergast, Under-Secretary-General for Political Affairs, to whom I give the floor.

Mr. Prendergast: On the Secretary-General's instructions, I visited Cyprus, Greece and Turkey between 30 May and 7 June for consultations on the future of his mission of good offices in Cyprus.

The Secretary-General's aim in asking me to travel to the region was to "take the pulse" — to find out where the parties stand, to seek their views on what, if anything, the United Nations should be doing in current circumstances, and to come back and report those views to him, along with options and advice regarding the priority, intensity and resources that he might wish to assign to the good offices.

My mission was preceded by a week of preliminary, informal, non-binding discussions in New York with a Greek Cypriot envoy, during which he elaborated Greek Cypriot views on both procedure and substance, and also sought the feedback of the United Nations.

In Cyprus, I met Mr. Tassos Papadopoulos, the Greek Cypriot leader, three times. I met Mr. Mehmet Ali Talat, the Turkish Cypriot leader, twice. I also saw political leaders on both sides. In Greece and Turkey, I met the foreign minister of each country and senior foreign ministry officials, as well as other prominent Greek and Turkish personalities.

I would like today to convey to the Council a summary of the views expressed and the discussions held.

On the Greek Cypriot side, Mr. Papadopoulos said that he was eager for negotiations to resume under the auspices of the Secretary-General. He said that his people were suffering from occupation and uncertainty and that they wanted a solution, and he confirmed both the procedural and substantive points that his envoy had made to me in New York.

On procedure, Mr. Papadopoulos said that new negotiations should be carefully prepared. His position was that, in any resumed negotiations, there should be no deadlines, no arbitration of substantive issues by the United Nations or third parties, and only a settlement plan agreed by the parties should be submitted to referendum. At the same time, he accepted that negotiations should not be open-ended.

On substance, Mr. Papadopoulos said that he believed the plan finalized by the Secretary-General last year gave the Turkish Cypriot side and Turkey, in his words, nearly everything they wanted, more than they needed, and more than was fair. In his view, that is why a large majority of Greek Cypriots had rejected the plan while a large majority of Turkish Cypriots had accepted it. He believes that future negotiations can be successful only if the Turkish Cypriot side and Turkey understand that and if they are prepared to meet outstanding Greek Cypriot concerns during the course of negotiations.

The substantive points the Greek Cypriot side would like to pursue in resumed negotiations touch on most of the main issues dealt with in the plan, including governance, security, citizenship, residency, property, territory, economic and financial issues, transition periods and guarantees of implementation. Asked by the Greek Cypriot side to give initial reactions to their ideas, I indicated that the United Nations understood that the Greek Cypriots have concerns and that those would need to be addressed in a mutually acceptable manner between the parties. But at the same time, I said that I thought the other side would find daunting the breadth and depth of what the Greek Cypriot side had elaborated, and I encouraged them to produce a list of focused, finite, manageable and prioritized proposals.

I also asked Mr. Papadopoulos if the concerns outlined by his envoy were an exhaustive or only an illustrative list of the areas in which he sought changes. Mr. Papadopoulos replied that he had no intention of raising further concerns, but he reserved the right to do so during negotiations, depending on the demands made by the other side. Despite my encouragement, Mr. Papadopoulos declined to indicate any hierarchy in his demands or any priority within them, saying that he believed those could emerge only during negotiations.

On the Turkish Cypriot side, Mr. Talat said that he wanted to see a settlement as soon as possible based on the United Nations plan and that he would like to see intensive negotiations under the auspices of the Secretary-General to achieve such a settlement within a reasonably short period of time. He stressed the desire of his people for an urgent settlement.

On procedure, Mr. Talat favoured a process with United Nations arbitration and clear time limits for negotiations, since he was concerned that negotiations might otherwise drag on indefinitely. He stressed, in this context, that Turkish Cypriots were disappointed at the failure of the Security Council to react to the Secretary-General's good offices report of 28 May 2004. He mentioned, in particular, insufficient acknowledgement by the international community of the fact that a majority of those who had voted on the Turkish Cypriot side in the referendum had accepted a compromise United Nations plan, and, secondly, the lack of action by the Security Council to help ease unnecessary restrictions that, he insisted, had the effect of unjustifiably isolating and punishing the Turkish Cypriots.

Mr. Talat said that this lack of response should be remedied. He added that, were negotiations to resume, he believed that there should be some sort of mechanism in place so that each side would know what its fate would be should the negotiations end in failure as a result of the actions of the other side.

On substance, Mr. Talat said that his people had been prepared to accept the United Nations plan not because it was ideal, but as a compromise. He stressed that certain key features — political equality, partnership, bi-zonality, bi-communality, the treaties of guarantee and alliance — were the essence of the plan and should not be eroded. He added that there were also real points of Turkish Cypriot concern about the plan that he would like to discuss in any future negotiations. They included territory, property, resettlement of dislocated Turkish Cypriots, financing, and guarantees against usurpation of the settlement arrangements by either side.

I said that the Secretary-General had been surprised at the lack of any response by the Security Council to his report. However, I reminded Mr. Talat that 76 per cent of Greek Cypriots who voted last year had rejected the finalized United Nations plan, and that this was a problem not just for the Greek Cypriots but for both sides. Mr. Talat said that, to address Greek Cypriot concerns, he would be prepared to entertain minor changes within the parameters of the plan, but he believed that it was very important to have a clear and final list of demands from the Greek Cypriot side. I conveyed orally the areas of concern that the Greek Cypriot side had elaborated to me. Mr. Talat said that he regarded these as lying well outside the parameters of the United Nations plan and as unacceptable to the Turkish Cypriot public.

I should add that I discussed with both leaders the obvious lack of confidence that exists between the two sides and measures that might be taken, either by agreement or, perhaps better still, unilaterally, to build confidence. Both leaders said that, while efforts to build confidence were important, they should not be a substitute for the search for a settlement. There are certain points on which follow-up from one or other of the parties is anticipated. The Special Representative of the Secretary-General and Chief of Mission of the United Nations Force in Cyprus (UNFICYP), Mr. Wlosowicz, remains at the disposal of the parties to pursue these matters.

In Athens, the Greek Government said that it wished to see a resumption of the Secretary-General's mission of good offices. In that context, Greek representatives said that the United Nations plan was the first comprehensive solution framework ever put forward and that it had come very close to delivering a settlement. However, Greece believed that, on certain aspects, the plan reflected the fears of the past more than it did the challenges of the future with Cyprus as a member of the European Union. The Greek Government would want to see the two sides in cooperative negotiations based on the United Nations plan so that outstanding concerns could be addressed and a settlement achieved.

In Ankara, the Turkish Government said that they wished to see a settlement based on the United Nations

plan and that Turkey would welcome an intensive process under the Secretary-General's auspices. For that to happen, the Turkish Government believed that it was important for the Greek Cypriot side to furnish a clear and exhaustive list of changes it would like to see to the plan. The Turkish Government stressed the sense of frustration in Turkey at the Security Council's lack of response to the Secretary-General's report of 28 May 2004, saying that this made it difficult to persuade people that Turkish and Turkish Cypriot efforts for a solution were adequately acknowledged. Those views were also conveyed to the Secretary-General by Prime Minister Erdogan at a working lunch in New York on 9 June, shortly after my return from the region. The Secretary-General conveyed to Prime Minister Erdogan, as I had to Mr. Talat and in Ankara, our surprise and disappointment at the fact that the Council had not reacted to the report or to last year's developments. Also, both the Turkish Cypriots and Turks expressed disillusion as well as disappointment at what they perceive as inadequate steps by the European Union to ease Turkish Cypriot isolation, an outcome which they feel they had been led to expect.

This concludes my summary of United Nations consultations with the parties. I should like now, if I may, to move to an assessment of the situation.

First of all, there are some important positives to acknowledge. All of the parties want to see some sort of resumption of active United Nations good offices. All the parties accept that the United Nations plan should serve as the document on which the negotiations would resume. Political figures on both sides in Cyprus are maintaining cordial contacts with one another in an effort to promote mutual understanding. There are useful contacts at other levels, too, whether among experts on particular subjects or among ordinary people now that they are able to cross to the other side. I was interested to learn that an independent bi-communal survey that polled attitudes to potential changes to the United Nations plan found the encouraging result among grass-roots opinion on both sides that it might be possible to make certain changes that would secure majority support for the plan in both communities.

But there are negatives, too. The gap between the stated positions of the parties on substance appears to be wide, while confidence between them does not seem high; rather the contrary. These two factors, especially in combination, make efforts to establish common ground extremely difficult.

As the Secretary-General considers what course of action to take, there are a number of additional factors that he will bear in mind. He believes that the starting point for the United Nations must and should be full respect for the decision of the voters on each side in the referendum of 24 April 2004 and an approach that is guided by that full respect.

Last year, the Secretary-General and his team exerted extraordinary efforts to work with the parties and finalize a plan that we hoped would be acceptable to the people on each side — a plan that had been developed over a four-and-a-half-year process of negotiation and consultation unprecedented in the history of the Cyprus problem. In the end, the Secretary-General was left with extremely difficult judgements to make on many contentious matters, since there were continuing and persistent deadlocks between the parties on nearly all substantive issues on the table, and he had been tasked by the parties to use his discretion to resolve them, so that a plan could be submitted to referendum. The plan, as finalized by the Secretary-General, is fully in accordance with the vision of a settlement contained in Security Council resolutions.

Yet, as I mentioned earlier in this briefing, on the Greek Cypriot side, more than three quarters of those who voted rejected the finalized United Nations plan. That is a fact that cannot be wished away. While the United Nations could not countenance a solution other than the kind envisaged in the resolutions of the Council, the highest-priority concerns which led Greek Cypriots to vote the way they did would most certainly have to be addressed in any future process based on the United Nations plan, and the Greek Cypriot electorate must have confidence that this would be borne in mind in a renewed process.

In that context, a prioritized and exhaustive list of concrete proposals for negotiation would be an important advance, because it is very hard to address a long list of concerns in an ordered way if they are expressed without modulation or indication of their relative importance.

At the same time, it would not help the search for a solution if Greek Cypriot concerns were met in a way that caused the loss of majority support for the United Nations plan on the Turkish Cypriot side, and the Turkish Cypriot electorate in turn must have confidence that that, too, would be borne in mind in

any renewed process. Meanwhile, confidence on the Turkish Cypriot side and in Turkey — whose role will be critical — is diminished by the fact that, although a clear majority among those who voted on the Turkish Cypriot side supported a compromise United Nations plan finalized by an agreed procedure, Turkish Cypriots see little acknowledgement of their efforts to achieve a solution and little or no improvement in their situation in the period since the referendum.

It is natural for each party to seek to protect its own interests with regard to both procedure and substance. But it is important to encourage both sides to focus on their overriding common interest, namely, the need to agree on revisions so that the United Nations plan can command majority support not only in their own communities, but in each other's too.

In that regard, the Secretary-General wishes to stress the obligations of the parties themselves. Outsiders can help, but it is the parties who must summon the vision, courage and political will needed to make a settlement, with all that that implies by way of compromise. Leaders have to lead, not just follow, their supporters. A settlement will become possible only if the parties act towards each other in a way that conveys respect, understanding for the other's concerns and a desire for an early settlement.

Responsibilities also fall on the Governments of Greece and Turkey. They must keep in mind that the Cyprus problem should be settled on its own merits, in the interests, first and foremost, of the Greek Cypriots and the Turkish Cypriots. The strong support of Greece and Turkey for the mission of good offices, for which the Secretary-General is grateful, will need to be matched by a readiness to think afresh on certain aspects of the problem so that a solution can be achieved on the basis of a revised United Nations plan.

So, where to from here? The Secretary-General is mindful of his own responsibilities, and he remains committed to assisting the parties to achieve a settlement. As a general proposition, the Secretary-General's good offices ought to be available to parties who request them. Moreover, the persistence of the status quo on the island is unacceptable, as the Council has made clear on many occasions.

At the same time, launching an intensive new process prematurely would be inadvisable. I hope the Council would agree that nothing positive would be served by a new effort that ended — as the previous two efforts did — in high-profile failure or else in a frustrating stalemate.

As things stand, the Secretary-General believes that it would be prudent to proceed very carefully. He intends to reflect on the future of his mission of good offices in the period ahead. As he does so, he will want to take full account of the reaction of the Council to this report. He will also be closely observing developments on the ground and, in particular, any evolution in the position of the parties in the light of the assessment and the observations I have just made.

Depending on the evolution of events and attitudes on the island, it may become appropriate to consider appointing a special adviser, on a when actually employed basis, who would engage the parties and explore whether the necessary common ground existed or could be built to enable full-scale negotiations to resume. For, ultimately, it is only through negotiations between them on the basis of the plan that a settlement will be achieved.

The President (*spoke in French*): I thank Mr. Prendergast for his briefing.

In accordance with the understanding reached in the Council's prior consultations, I should now like to invite Council members to informal consultations to continue our discussion on the subject.

The meeting rose at 10.35 a.m.